

Gdynia, 2 September 2021 r.

To whom it might concern

Subject : "manipulation fee"

Dear valued Customers and Partners,

In March and April 2020, we informed you that despite attempts to amicably resolve the dispute between intermodal operators (represented by the Polish Chamber of Forwarding and Logistics - PISIL) and DCT Gdańsk, no agreement was reached on the implementation of so-called "manipulation fee" (item 3.1 of DCT Standard Tariff). At that time, we have announced the possibility of introducing an additional fee to the PCC Intermodal tariff.

We would like to point out that PCC Intermodal together with the majority of intermodal operators in Poland, share the opinion that the "manipulation fee" is an unjustified and undue charge collected by DCT Gdańsk discriminating intermodal transport. In our opinion, all costs related to transshipment of container from ship's side to a means of land transport (and vice versa) are covered by the shipowners and charged under THC. Therefore, the terminal has no grounds to charge railway operators with any additional fee related to the reloading of containers to / from wagons.

As from 2019, PCC Intermodal – acting in the interests of the development of intermodal transport - conducted a court dispute with DCT Gdańsk aiming to prove that application of the additional "manipulation fee" by this terminal is unjustified. We regret to inform you that in this case the courts of first and second instance did not share our position and finally, by the judgment of August 2, 2021, the Court of Appeal in Gdańsk dismissed the appeal of PCC Intermodal, thus recognizing that DCT Gdańsk has the right to charge this obligatory fee from rail transport operators.

At the same time, we would like to inform you that despite the efforts of PCC Intermodal and representatives of the intermodal industry, also at BCT Gdynia, additional charges are imposed only due to the fact that the train is accepted on the terminal tracks. This charges are imposed on railway operators for services that they do not order. Fees for the so-called "checking the train set" or "preparing the wagons for loading" (point B art. 1 item 29 and 30 of the BCT Service Tariff) are not related to any actual terminal service done for the railway operator, and are obligatory. Despite long negotiations and the agreement signed on 20 November 2019 between PISiL and BCT, in which BCT Gdynia undertook not to impose such charges on rail operators for services not requested by them, the above practice at the BCT Gdynia still has not been eliminated.

PCC Intermodal, obligated to execute court judgments, may not continue to bear the burden of costs that are not related to access to railway infrastructure, services for the rolling stock or any services needed by an intermodal operator to organize railway transport. Considering the above, we are forced to forward onto You this costs imposed on us, in order to be able to pick up or deliver your containers from / to DCT Gdańsk and BCT Gdynia.

Taking all above into consideration, a new item will be added to the PCC Intermodal Tariff. It will be introduced under the name of "manipulation fee". This position will be charged on top of the already agreed transport rates for all intermodal transport orders to and from DCT Gdańsk and BCT Gdynia as from 01/10/2021 (the date of container gate-in or gate-out will be decisive). The amount of the fee will be calculated based on the current amount of the tariff charges applied by DCT and BCT respectively (as an average of 7 days per week including

bonus charges of Saturday, Sunday and holidays) and will be visible as a separate item on PCC Intermodal invoices.

As from 01/10/2021 the amount of the above mentioned fee will be respectively:

- DCT manipulation fee: PLN 26 - per TEU (€ 5,5,-)
- BCT manipulation fee: PLN 6 - per TEU (€1,25,-)

At the same time, we would like to advise, that the "manipulation fee" will be removed from the PCC Intermodal Tariff as soon as DCT Gdańsk and BCT Gdynia would stop collecting the above described fees from intermodal operators.

Please note that "manipulation fee" will NOT be charged for intermodal service of containers via terminals in Hamburg / Bremerhaven, Rotterdam, Antwerp, Duisburg and via GCT Gdynia, because at these terminals there are no such charges for the intermodal operators.